



**US Army Corps  
Of Engineers**

Walla Walla District  
201 North Third Avenue  
Walla Walla, WA 99362-1876

# Public Notice

## MINIMUM MONITORING REQUIREMENTS FOR COMPENSATORY MITIGATION PROJECTS

Date of Notice: September 15, 2006

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The attached Regulatory Guidance Letter (RGL) 06-03 provides guidance on mitigation monitoring requirements for compensatory mitigation projects. Also included is a list of contents for monitoring reports. Specifically, this RGL requires monitoring of mitigation sites typically for a minimum of 5 years and annual monitoring reports to total no more than 10 pages in length. By incorporating this length requirement, we are ensuring only the pertinent information is submitted for review, pending our analysis if a site visit is warranted, to ensure mitigation compliance with permit conditions and performance standards. Moving away from the large bulky monitoring reports is encouraged by the paperwork reduction act and allows us to implement procedures that strongly encourage electronic submittals.

This RGL was formulated to compliment and be consistent with the "Compensatory Mitigation For Losses of Aquatic Resources: Proposed Rule" (FR 71 FR 15520, issued March 28, 2006) and may be revised if this guidance is not consistent with the Final Rule.

Section 404 of the Clean Water Act requires a Department of the Army permit for the discharge of dredged or fill material into waters of the United States, including wetlands. This includes excavation activities that result in the discharge of dredged material and destroy or degrade waters of the United States. Applicants who apply for a permit to fill wetlands or waterways are required to avoid and minimize impacts as much as possible. Any remaining impacts must be offset with compensatory mitigation to replace lost wetland (or waterway) functions. This public notice provides consultants and the public with our current requirements for monitoring reports to monitor mitigation projects.

Nationally, the Corps is commencing several major initiatives to improve the success of compensatory mitigation overall and in the context of a regional watershed approach to respond to the president's National Mitigation Action Plan (MAP). MAP may be found at:

<http://www.epa.gov/owow/wetlands/NWMAPI22402signed.pdf>

The Corps is committed to improving the success of mitigation and increasing efforts on mitigation compliance to meet the goal of no net loss of our Nation's aquatic resources. The attached Regulatory Guidance Letter (RGL) 06-03 is a step towards that effort. The RGL may also be viewed on our website, which is referenced below.

Any questions or comments regarding this RGL may be directed to Ms. Barbara Benge at 509-527-7153. For further information about the Department of the Army permit program in Walla Walla District, please visit our web page at: <http://www.nww.usace.army.mil/html/offices/op/rf/rfhome.htm> .

/signed/  
A. Bradley Daly  
Chief, Regulatory Division

Enclosure